

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

ALICIA LOPEZ MORA,

Plaintiff,

v.

THE COUNTY OF EL PASO, TEXAS,  
AND THE EL PASO COUNTY, TEXAS  
SHERIFF'S DEPARTMENT

Defendants.

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3:21-cv-138  
Case No. \_\_\_\_\_

**NOTICE OF REMOVAL**

**TO THE HONORABLE UNITED STATES DISTRICT COURT:**

COME NOW Defendants THE COUNTY OF EL PASO, TEXAS, AND THE EL PASO COUNTY, TEXAS SHERIFF'S DEPARTMENT (the "County") and file this Notice of Removal. As grounds for its removal Defendants state the following:

1. The suit being removed is a civil action pending in the 205<sup>th</sup> Judicial District Court of El Paso County, Texas, styled *Alicia Lopez Mora, Plaintiff v. The County Of El Paso, Texas, and The El Paso County, Texas Sheriff's Department, Defendants*, Cause No. 2021DCV1566 (the "State Court Action"). Pursuant to 28 U.S.C. § 1446(a), a true and correct copy of all process, pleadings, orders, and documents from the State Court Action which have been served upon Defendants are being filed with this Notice of Removal and are attached as **Exhibits A**. A copy of the docketing sheet from the State Court Action is also being filed and is attached as **Exhibit B**.

2. The state court action commenced on May 10, 2021. The County was properly served with Citation, Plaintiff's Original Petition on May 19, 2021. Therefore, this notice of removal is timely filed under 28 U.S.C. § 1446(b), within 30 days of the service on Defendants.

3. Plaintiff's Original Petition alleges federal questions as Plaintiff has alleged a deprivation of Plaintiff's rights under the Eighth Amendment and Fourteenth Amendment to the United States Constitution and seeks relief under 42 U.S.C. §1983.

4. The United States District Court possesses jurisdiction over Plaintiff's state law claims pursuant to supplemental jurisdiction under 28 U.S.C. §1441(c).

5. The United States District Court for the Western District of Texas, El Paso Division, is the proper place to file this Notice of Removal because it is the federal judicial district embracing the place where the State Court Action was originally filed and is pending. 28 U.S.C. §§ 1441(a).

6. Defendants, the removing parties, will promptly give adverse parties written notice of the filing of this Notice of Removal as required by 28 U.S.C. 1446(d). Defendants will promptly file a copy of this Notice of Removal with the Clerk of the 205<sup>th</sup> Judicial District Court, El Paso County, Texas, where the action is currently pending, also pursuant to 28 U.S.C. § 1446(d).

7. Plaintiff has not added additional Defendants.

8. Plaintiff did not demand a jury in the state-court suit.

**WHEREFORE, PREMISES CONSIDERED,** Defendants THE COUNTY OF EL PASO, TEXAS, AND THE EL PASO COUNTY, TEXAS SHERIFF'S DEPARTMENT, TEXAS, pursuant to these statutes and in conformance with the requirements set forth in 28 U.S.C. § 1446, remove the case styled *Alicia Lopez Mora, Plaintiff v. The County Of El Paso, Texas, and The El Paso County, Texas Sheriff's Department*, Cause No. 2021DCV1566.

**Respectfully submitted,**

**JO ANNE BERNAL**  
El Paso County Attorney  
500 East San Antonio, Room 503  
El Paso, Texas 79901  
Bus: (915) 546-2050  
Fax: (915) 546-2133

BY: /s/ **Ian R. Kaplan**  
**Ian R. Kaplan**  
Assistant County Attorney  
Texas Bar No. 24043747  
Email: [Ian.Kaplan@epcounty.com](mailto:Ian.Kaplan@epcounty.com)

and /s/ **Dana Irwin Carmona**  
**Dana Irwin Carmona**  
Assistant County Attorney  
Texas Bar No. 24048564  
Email: [D.Carmona@epcounty.com](mailto:D.Carmona@epcounty.com)

Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing pleading was submitted via electronic mail to Jose Montes, Jr. at [Monteslawoffice@yahoo.com](mailto:Monteslawoffice@yahoo.com) 1155 Westmoreland Drive, Suite 120, El Paso, Texas 79925, attorney for the Plaintiff on this the 11<sup>th</sup> day of June, 2021.

/s/ **Ian R. Kaplan**  
**Ian R. Kaplan**

# EXHIBIT A

ALICIA LOPEZ MORA  
Plaintiff,  
  
V.  
  
THE COUNTY OF EL PASO, TEXAS  
AND THE EL PASO COUNTY, TEXAS  
SHERIFF'S DEPARTMENT  
Defendants.

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CAUSE NO. 2021- \_\_\_\_\_

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDEG OF SAID COURT:

COMES NOW, ALICIA LOPEZ MORA, Plaintiff, complaining of the County of El Paso, Texas and the El Paso County, Texas Sheriff's Department, Defendants, and for cause of action shows:

I.

Plaintiff is an individual residing in El Paso County, Texas. The last three digits of Plaintiff's Social Security number are 993. The last three digits of Plaintiff's License Number are 888.

Defendant, the County of El Paso, Texas is a State of Texas County and may be served with process by serving Ricardo A. Samaniego, County Judge of El Paso County, Texas at 500 East San Antonio Ave., Suite 301, El Paso, Texas 79901.

Defendant, the El Paso County Texas Sheriff's Department is a Department of the County of El Paso County, Texas and may be served with process by serving Richard Wiles, Sheriff of the El Paso County, Texas Sheriff's Department at 3850 Justice Dr., El Paso, Texas 79938.



**II.**

At all times material hereto, all of the agents, servants and employees for all of the Defendants, who were in any way connected with the occurrence of the subject of this suit, were acting within the course and scope of their employment or official duties and in furthermore of the duties of their office or employment.

**III.**

On May 13, 2019, Plaintiff Alicia Lopez Mora, was arrested pursuant to a warrant of arrest, for the offenses of engaging in organized criminal activity and the manufacturing and delivery of a controlled substance penalty group 1, 1 gram < 4 grams by agents, servants, and employees of the County of El Paso, Texas and the El Paso County, Texas Sheriff's Department.

Plaintiff was handcuffed, detained, arrested and booked into the El Paso County, Texas Jail. At the jail, Plaintiff was fingerprinted, photographed and locked in a cell.

On May 13, 2019, Plaintiff posted bond through Amigo Bail Bonds in the amount of \$44,000.00 and after several hours of waiting was released. That same day after retaining an attorney the charges were dismissed by the El Paso County, Texas District Attorney's office.

**IV.**

The occurrence made the subject of this cause of action was a direct and proximate result of the actions and conduct of both of the Defendants and each of their agents, servants and employees.



Plaintiff shows that all of the foregoing acts and conduct, both of commission and omission, or both, separately and collectively, were proximate causes of the occurrence which is the basis of this suit and Plaintiff's resulting injuries and damages.

**V.**

As a direct and proximate result of both of Defendant's and their agents, servants, and employees unjustified and irresponsible charges, detention, and arrest of Plaintiff, Plaintiff suffered severe humiliation, embarrassment, fear, frustration and mental anguish, in addition to the physical discomfort she was required to withstand.

Furthermore, Plaintiff's reputation and standing in the community has been irreparably tarnished and her employment future has been decidedly disadvantaged, Because of the damage of her reputation and because of the unshakable memories of this experience, Plaintiff has been in a continued state of depression, humiliation, embarrassment, fear, frustration and mental anguish which conditions she does not expect to change for a long time into the future.

**VI.**

As a further direct and proximate result of all of the above and foregoing, Plaintiff has incurred expenses for medical care and attention, physician fees and medical expenses.

These expenses were incurred for necessary care and treatment of the emotional state of Plaintiff resulting from the incident complained of. These charges are reasonable and they were the usual and customary charges made for such services in El Paso, County, Texas.



**VII.**

Plaintiff would further show that the conduct of each of the Defendants, as described above, was willful and malicious. As a result, Plaintiff is entitled to recover exemplary damages to deter such cruel and undignified conduct and actions by agents, servants and employees of each of the Defendants in the future. In this connection, Plaintiff would show that her treatment by each of the Defendants and each of the Defendants' agents, servants, and employees caused her suffering of immeasurable dimensions as summarized above, significant expenses as enumerated above, as well as attorney fees incurred in defending Plaintiff. Accordingly, Plaintiff requests that exemplary damages be awarded against each of the Defendants.

**VIII.**

By reason of all of the above and foregoing, Plaintiff has suffered losses and damages in a sum that exceeds the minimum jurisdictional limits of this Court and for which she sues each of the Defendants.

**WHEREFORE**, Plaintiff requests that each of the Defendants be cited to appear and answer, and that on final trial Plaintiff have:

1. Judgment against each of the Defendants for a sum in excess of the minimum jurisdictional limits of this Court.
2. Exemplary damages.
3. Interest after judgment at the rate allowed by law until paid.
4. Costs of suit.



5. Such other and further relief to which Plaintiff may be justly entitled.

Respectfully Submitted,

JOSE MONTES, JR.  
Attorney at Law  
1155 Westmoreland Drive, Suite 120  
El Paso, Texas 79925  
Tel. (915) 881-8600  
Fax. (915) 881-8787  
Email: monteslawoffice@yahoo.com

By: \_\_\_\_\_

Jose Montes, Jr.  
Texas Bar No. 14284600  
Attorney for Plaintiff,  
Alicia Lopez Mora

A TRUE COPY, I CERTIFY  
NORMA FAVELA BARCELEAU  
District Clerk  
BY mpuente  
Deputy

06/11/2021



Norma Favela Barceleau  
District Clerk  
El Paso County  
2021DCV1566

Alicia Lopez Mora

2021DCV1566

May you please email two copies of the Original Petition to [legalnetprocess@gmail.com](mailto:legalnetprocess@gmail.com)

Defendants I would like to serve:

The County of El Paso, Texas  
By Serving Ricardo A. Samaniego  
500 East San Antonio Ave.  
Ste. 301  
El Paso, Texas 79901

The El Paso County Texas Sheriff's Department  
By Serving Richard Wiles  
3850 Justice Dr.  
El Paso, Tx 79938

Personal Service Citation

Please Serve Plaintiff's Original Petition filed on 5/10/21

May you please email the citations to the following email: [legalnetprocess@gmail.com](mailto:legalnetprocess@gmail.com)

Citation Fee has already been paid for on 5/10/21

A TRUE COPY, I CERTIFY  
NORMA FAVELA BARCELEAU  
District Clerk  
BY mpuente Deputy

06/11/2021



4:05PM

**THE STATE OF TEXAS**

Norma Favela Barcealeu

District Clerk

El Paso County, Texas

Cables, Veronica

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org"

TO: **THE COUNTY OF EL PASO, TEXAS**, which may be served with process **by serving RICARDO A. SAMANIEGO, at 500 EAST SAN ANTONIO AVE, SUITE 301, EL PASO, TX 79901** or wherever he/she may be found

Greetings:

You are hereby commanded to appear by filing a written answer to the **Plaintiff's Original Petition** at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable **205<sup>th</sup> Judicial District Court**, El Paso County, Texas, at the Court House of said County in El Paso, Texas.

Said Plaintiff's Petition was filed in said court on the 10<sup>th</sup> day of May, 2021 by Attorney at Law, JOSE MONTES, JR., 1155 WESTMORELAND DR #120 EL PASO TX 79925, in this case numbered **2021DCV1566** on the docket of said court, and styled:

**ALICIA LOPEZ MORA**

**V.**

**THE COUNTY OF EL PASO, TEXAS AND THE EL PASO COUNTY, TEXAS SHERIFF'S DEPARTMENT**

The nature of Plaintiff's demand is fully shown by a true and correct copy of the **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at El Paso, Texas, on the 14<sup>th</sup> day of May, 2021.

CLERK OF THE COURT

**NORMA FAVELA BARCELEAU**  
District Clerk  
El Paso County Courthouse  
500 E. San Antonio Ave, RM 103  
El Paso, Texas 79901



Attest: NORMA FAVELA BARCELEAU District Clerk  
El Paso County, Texas

By: Veronica Cables, Deputy  
Veronica Cables

**A TRUE COPY, I CERTIFY**  
**NORMA FAVELA BARCELEAU**  
District Clerk

BY: mpuente  
Deputy

06/11/2021

Rule 106: "-the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of delivery endorsed thereon and with a copy of the petition attached thereto."



**RETURN**

Came on hand on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and executed in \_\_\_\_\_ County, Texas, by delivering to each of the within-named defendants, in person, a true copy of this Citation, having first endorsed thereon the date of delivery, together with the accompanying true and correct copy of the **Plaintiff's Original Petition**, at the following times and places, to-wit:

NAME	DATE			TIME			Place, and Course and Distance
	MONTH	DAY	YEAR	Hour	Min.	____.M.	
							From Court House

And not executed as to the defendant, \_\_\_\_\_

The diligence used in finding said defendant, being \_\_\_\_\_

And the cause of failure to execute this process is: \_\_\_\_\_

And the information received as to the whereabouts of the said defendant, being \_\_\_\_\_

FEES—SERVING \_\_\_\_ copy \_\_\_\_ \$ \_\_\_\_\_ Sheriff  
\_\_\_\_\_ County, Texas

Total \_\_\_\_\_ \$ \_\_\_\_\_ by \_\_\_\_\_, Deputy

**CERTIFICATE OF DELIVERY**

I do hereby certify that I delivered to \_\_\_\_\_,  
\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ m. this copy of this instrument.

\_\_\_\_\_, Sheriff/Agent  
\_\_\_\_\_ County, Texas  
By \_\_\_\_\_, Deputy/Agent

**SUBSCRIBED AND SWORN TO BEFORE ME ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.**

**(SEAL)**

\_\_\_\_\_  
**NOTARY PUBLIC, STATE OF TEXAS**



## THE STATE OF TEXAS

4:12PM

Norma Favela Barcealeu

District Clerk

El Paso County, Texas

Cables, Veronica

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org"

TO: **THE EL PASO COUNTY TEXAS SHERIFF'S DEPARTMENT**, which may be served with process by serving **RICHARD WILES**, at **3850 JUSTICE DR., EL PASO, TX 79938** or wherever he/she may be found

Greetings:

You are hereby commanded to appear by filing a written answer to the **Plaintiff's Original Petition** at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable **205<sup>th</sup> Judicial District Court**, El Paso County, Texas, at the Court House of said County in El Paso, Texas.

Said Plaintiff's Petition was filed in said court on the 10<sup>th</sup> day of May, 2021 by Attorney at Law, JOSE MONTES, JR., 1155 WESTMORELAND DR #120 EL PASO TX 79925, in this case numbered **2021DCV1566** on the docket of said court, and styled:

**ALICIA LOPEZ MORA**  
**V.**  
**THE COUNTY OF EL PASO, TEXAS AND THE EL PASO COUNTY, TEXAS SHERIFF'S DEPARTMENT**

The nature of Plaintiff's demand is fully shown by a true and correct copy of the **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at El Paso, Texas, on the 14<sup>th</sup> day of May, 2021.

CLERK OF THE COURT

**NORMA FAVELA BARCELEAU**  
District Clerk  
El Paso County Courthouse  
500 E. San Antonio Ave, RM 103  
El Paso, Texas 79901



Attest: NORMA FAVELA BARCELEAU District Clerk  
El Paso County, Texas

By: Veronica Cables, Deputy  
Veronica Cables

A TRUE COPY, I CERTIFY  
NORMA FAVELA BARCELEAU  
District Clerk  
BY mpuente Deputy  
06/11/2021

Rule 106: "-the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with date of delivery endorsed thereon and with a copy of the petition attached thereto."



**RETURN**

Came on hand on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and executed in \_\_\_\_\_ County, Texas, by delivering to each of the within-named defendants, in person, a true copy of this Citation, having first endorsed thereon the date of delivery, together with the accompanying true and correct copy of the **Plaintiff's Original Petition**, at the following times and places, to-wit:

NAME	DATE			TIME			Place, and Course and Distance
	MONTH	DAY	YEAR	Hour	Min.	____.M.	
							From Court House

And not executed as to the defendant, \_\_\_\_\_

The diligence used in finding said defendant, being \_\_\_\_\_

And the cause of failure to execute this process is: \_\_\_\_\_

And the information received as to the whereabouts of the said defendant, being \_\_\_\_\_

FEES—SERVING \_\_\_\_ copy \_\_\_\_ \$ \_\_\_\_\_ Sheriff  
\_\_\_\_\_ County, Texas

Total \_\_\_\_\_ \$ \_\_\_\_\_ by \_\_\_\_\_, Deputy

**CERTIFICATE OF DELIVERY**

I do hereby certify that I delivered to \_\_\_\_\_,  
\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ m. this copy of this instrument.

\_\_\_\_\_, Sheriff/Agent  
\_\_\_\_\_ County, Texas  
By \_\_\_\_\_, Deputy/Agent

**SUBSCRIBED AND SWORN TO BEFORE ME ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.**

**(SEAL)**

\_\_\_\_\_  
**NOTARY PUBLIC, STATE OF TEXAS**



## THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org"

TO: **THE COUNTY OF EL PASO, TEXAS**, which may be served with process by serving **RICARDO A. SAMANIEGO**, at **500 EAST SAN ANTONIO AVE, SUITE 301, EL PASO, TX 79901** or wherever he/she may be found

Greetings:

You are hereby commanded to appear by filing a written answer to the **Plaintiff's Original Petition** at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable **205<sup>th</sup> Judicial District Court**, El Paso County, Texas, at the Court House of said County in El Paso, Texas.

Said Plaintiff's Petition was filed in said court on the 10<sup>th</sup> day of May, 2021 by Attorney at Law, JOSE MONTES, JR., 1155 WESTMORELAND DR #120 EL PASO TX 79925, in this case numbered **2021DCV1566** on the docket of said court, and styled:

**ALICIA LOPEZ MORA**  
V.  
**THE COUNTY OF EL PASO, TEXAS AND THE EL PASO COUNTY, TEXAS SHERIFF'S DEPARTMENT**

The nature of Plaintiff's demand is fully shown by a true and correct copy of the **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at El Paso, Texas, on the 14<sup>th</sup> day of May, 2021.

CLERK OF THE COURT

**NORMA FAVELA BARCELEAU**  
District Clerk  
El Paso County Courthouse  
500 E. San Antonio Ave, RM 103  
El Paso, Texas 79901



Attest: NORMA FAVELA BARCELEAU District Clerk  
El Paso County, Texas

By: Veronica Cables, Deputy

**A TRUE COPY, I CERTIFY**  
**NORMA FAVELA BARCELEAU**  
District Clerk  
BY npuente  
06/11/2021 Deputy

Rule 106: "the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of delivery endorsed thereon and with a copy of the petition attached thereto."



## RETURN

Came on hand on 19 day of May, 2021, at 10:00 o'clock A M., and executed in El Paso County, Texas, by delivering to each of the within-named defendants, in person, a true copy of this Citation, having first endorsed thereon the date of delivery, together with the accompanying true and correct copy of the **Plaintiff's Original Petition**, at the following times and places, to-wit:

NAME	DATE			TIME		Place, and Course and Distance
	MONTH	DAY	YEAR	Hour	Min. ____M.	
The County of El Paso,	5	19	21	1:55	PM	500 E San Antonio Ave
Texas which may be served with						# 301
process by serving Ricardo A.						El Paso, TX 79901
Samaniego through Christabelle Guzman,						
Administrative Specialist						
delivered in person						

And not executed as to the defendant, \_\_\_\_\_

The diligence used in finding said defendant, being \_\_\_\_\_

And the cause of failure to execute this process is: \_\_\_\_\_

And the information received as to the whereabouts of the said defendant, being \_\_\_\_\_

FEES—SERVING \_\_\_\_ copy \_\_\_\_ \$ \_\_\_\_\_ **Legal-Net Process Service** Sheriff

**1444 Montana Ave. Ste. 210** County, Texas  
**El Paso, Texas 79902**

Total \_\_\_\_\_ \$ 60.00 by Sergio Martinez Deputy

## CERTIFICATE OF DELIVERY

I do hereby certify that I delivered to The County of El Paso Texas which may be served with process by  
serving Ricardo A. Samaniego through Christabelle Guzman,  
Administrative Specialists delivered in person at  
500 E San Antonio Ave # 301 El Paso, TX 79901 on the 19 day of May,  
20 21, at 1:55 o'clock P m. this copy of this instrument.

**Legal-Net Process Service**

**1444 Montana Ave. Ste. 210**

**El Paso, Texas 79902**

Sheriff/Agent

County, Texas

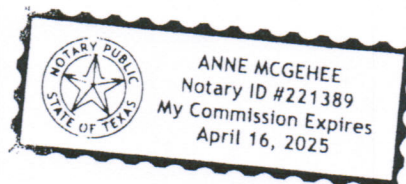
By Sergio Martinez Deputy/Agent

Sergio Martinez PSC#1521EXP:10-31-21

SUBSCRIBED AND SWORN TO BEFORE ME ON THE 20 DAY OF May, 2021.

(SEAL)

Anne McGehee  
NOTARY PUBLIC, STATE OF TEXAS



# THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org"

TO: **THE EL PASO COUNTY TEXAS SHERIFF'S DEPARTMENT**, which may be served with process by serving **RICHARD WILES**, at **3850 JUSTICE DR., EL PASO, TX 79938** or wherever he/she may be found

Greetings:

You are hereby commanded to appear by filing a written answer to the **Plaintiff's Original Petition** at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable **205<sup>th</sup> Judicial District Court**, El Paso County, Texas, at the Court House of said County in El Paso, Texas.

Said Plaintiff's Petition was filed in said court on the 10<sup>th</sup> day of May, 2021 by Attorney at Law, JOSE MONTES, JR., 1155 WESTMORELAND DR #120 EL PASO TX 79925, in this case numbered **2021DCV1566** on the docket of said court, and styled:

**ALICIA LOPEZ MORA**  
**V.**  
**THE COUNTY OF EL PASO, TEXAS AND THE EL PASO COUNTY, TEXAS SHERIFF'S DEPARTMENT**

The nature of Plaintiff's demand is fully shown by a true and correct copy of the **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at El Paso, Texas, on the 14<sup>th</sup> day of May, 2021.

CLERK OF THE COURT

**NORMA FAVELA BARCELEAU**  
 District Clerk  
 El Paso County Courthouse  
 500 E. San Antonio Ave, RM 103  
 El Paso, Texas 79901



Attest: NORMA FAVELA BARCELEAU District Clerk  
 El Paso County, Texas

By: Veronica Cables, Deputy

**A TRUE COPY, I CERTIFY**  
**NORMA FAVELA BARCELEAU**  
 District Clerk

By: npuente Deputy  
 06/11/2021

Rule 106: "the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of delivery endorsed thereon and with a copy of the petition attached thereto."



## RETURN

Came on hand on 19 day of May, 20 21, at 4:00 o'clock P M., and executed in El Paso County, Texas, by delivering to each of the within-named defendants, in person, a true copy of this Citation, having first endorsed thereon the date of delivery, together with the accompanying true and correct copy of the **Plaintiff's Original Petition**, at the following times and places, to-wit:

NAME	DATE			TIME		Place, and Course and Distance
	MONTH	DAY	YEAR	Hour	Min. ____M.	
The El Paso County	5	27	21	9:45	AM	3850 Justice Dr
Texas Sheriff's Department						El Paso, TX 79938
which may be served with process by serving Richard Wiles delivered in person						

And not executed as to the defendant, \_\_\_\_\_

The diligence used in finding said defendant, being \_\_\_\_\_

And the cause of failure to execute this process is: \_\_\_\_\_

And the information received as to the whereabouts of the said defendant, being \_\_\_\_\_

FEES—SERVING \_\_\_\_ copy \_\_\_\_ \$ \_\_\_\_\_ **Legal-Net Process Service**  
**1444 Montana Ave. Ste. 210** Sheriff  
**El Paso, Texas 79902** County, Texas

Total \_\_\_\_\_ \$ 80.00 by Sergio Martinez Deputy  
 Sergio Martinez PSC#1521EXP:10-31-21

## CERTIFICATE OF DELIVERY

I do hereby certify that I delivered to The El Paso County Texas Sheriff's Department which may be served with process by serving Richard Wiles  
3850 Justice Dr El Paso, TX 79938 on the 27 day of May,  
 20 21, at 9:45 o'clock A m. this copy of this instrument.

**Legal-Net Process Service**

**1444 Montana Ave. Ste. 210**

**El Paso, Texas 79902**

\_\_\_\_\_, Sheriff/Agent

\_\_\_\_\_, County, Texas

By Sergio Martinez Deputy/Agent  
 Sergio Martinez PSC#1521EXP:10-31-21

SUBSCRIBED AND SWORN TO BEFORE ME ON THE 27 DAY OF May, 2021.



Rosa Cervantes  
 NOTARY PUBLIC, STATE OF TEXAS



# EXHIBIT B

205TH DISTRICT COURT

# CASE SUMMARY

## CASE NO. 2021DCV1566

Alicia Lopez Mora  
V.  
The County of El Paso, Texas and The El Paso County,  
Texas Sheriff's Department

§  
§  
§  
§

Location: **205th District Court**  
Judicial Officer: **Dominguez, Francisco X.**  
Filed on: **05/10/2021**

### CASE INFORMATION

Case Type: **Other Injury or Damage**

### DATE

### CASE ASSIGNMENT

#### Current Case Assignment

Case Number 2021DCV1566  
Court 205th District Court  
Date Assigned 05/10/2021  
Judicial Officer Dominguez, Francisco X.

### PARTY INFORMATION

**Plaintiff Lopez Mora, Alicia**

*Lead Attorneys*  
**MONTES, JOSE, Jr.**  
*Retained*  
915-881-8600(W)

**Defendant The County of El Paso, Texas**  
**The El Paso County, Texas Sheriff's Department**


### DATE

### EVENTS & ORDERS OF THE COURT

### INDEX



#### EVENTS

05/10/2021 Original Petition (OCA)

05/10/2021  E-File Event Original Filing  
/ PLAINTIFF'S ORIGINAL PETITION/ ER

05/12/2021  Request  
FOR CITATIONS/ ER

#### SERVICE

05/14/2021 **Citation**  
 The County of El Paso, Texas  
Served: 05/19/2021  
Response Due: 06/14/2021  
 The El Paso County, Texas Sheriff's Department  
Served: 05/27/2021  
Response Due: 06/21/2021  
Emailed to legalnetprocess@gmail.com // VC

### DATE

### FINANCIAL INFORMATION

**Plaintiff** Lopez Mora, Alicia  
Total Charges  
Total Payments and Credits  
**Balance Due as of 6/1/2021**

323.00  
323.00



205TH DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. 2021DCV1566**

A TRUE COPY, I CERTIFY  
NORMA FAVELA BARCELEAU  
District Clerk  
BY *N. Puente* Deputy  
06/11/2021

